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*Bolivia, as the Insidious
Author and Persistent Perpe-
trator of a New International
Crime*

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Private and confidential until }
May 5, 1874. See page 37. }

BOLIVIA,

AS THE

INSIDIOUS AUTHOR

AND

PERSISTENT PERPETRATOR

OF

A NEW INTERNATIONAL CRIME.

"Ni malas palabras,
Ni buenas acciones."

Extract from an Epigram against Bolivia, by an offended Spanish-speaking German.

(Neither bad words,
Nor good actions.)

For fifteen years, now going on sixteen, Bolivia owes for her
National Maps, and always promises to pay for them,
but seems secretly determined never to do it.

WILL SHE PAY FOR THEM NOW?

*An Appeal to the Congress of the United States for justice in
Behalf of the Claimant, JOSEPH H. COLTON, by his
Attorney, HINTON ROWAN HELPER.*

WASHINGTON,
JANUARY 3, 1874.

Not with the intention of selling, for not even so much as a single copy is to be sold at any price whatever, but, on the contrary, as a means of effectually preventing publicity, in exact accordance with the assurances herein given to the Hon. Secretary of State of Bolivia, under date of January 3, 1874, this pamphlet is

Entered according to Act of Congress, in the year 1874, (January 3) by

HINTON ROWAN HELPER,

In the office of the Librarian of Congress at Washington.

Dec 9. 1927

A MEMORIAL

FROM

JOSEPH H. COLTON, OF NEW YORK, TO THE CONGRESS OF THE
UNITED STATES, AGAINST THE GOVERNMENT OF BOLIVIA.

*To the Honorable, the Senators and Representatives of
the United States of America in Congress Assembled:*

GENTLEMEN: At more than seventy-three years of age, baffled and perplexed up to a point of complete discomfiture in a matter of officially-admitted justice due to me, for the last fifteen years, by a foreign government, with which the Government of the United States has long been in amicable diplomatic relations, I respectfully come before you with details and complaints of a series of audacious wrongs, to which I have been again and again subjected under the operations of a new species of international crime, which, in this auspicious era of progressive family-ship and fair-dealing among civilized individuals and nations, could hardly have had its inception or perpetration outside of Bolivia.

During the summer of 1858, two of Bolivia's most able and distinguished military engineers, Colonel Juan Ondarza and Commandant Juan Mariano Mujia, under commission from their government, came and introduced themselves to me, at my place of business, in the city of New York, proposing terms for the engraving and publishing of a large map of the Republic of Bolivia, of which map, in rough outline, they themselves, as army and topographical engineers of the nation, were the authors. On the 21st of September of the same year, 1858, I acceded to the final terms which they proposed, and, under that date, entered into a written contract with them accordingly.

Under the conditions of that contract, I was to engrave the map artistically and in the best manner, on copper-plate, and was then to print neatly, paste on good canvas, and fit up with mouldings, rollers and rings, ready for suspension against walls, ten thousand copies of the work—a map six feet in length by five feet in height—for the round sum of twenty-five thousand dollars in gold. This was at the rate of only two dollars and fifty cents for each one of the said maps; a price, even at that notable time of plenty and cheapness, which was, indeed, but very little above the actual cost of the first-rate materials and labor employed by me. The engraving, printing, and publishing of such maps now, maps of the same dimensions, and of equal quality in all respects, would cost very nearly, or quite, one hundred per cent. more.

At one time the Bolivian Government itself, as will be conclusively proved in the course of the following pages, sold two thousand copies of these same maps at twelve dollars per copy, and, at another time, three thousand copies at five dollars per copy; thereby realizing, as proceeds of the sale of only one-half of the edition of the said map, a sum total of thirty-nine thousand dollars, which, as public funds, went into the national treasury. I am also informed, on unquestionable authority, that certain of these said maps of Bolivia, which were taken thence to the Argentine Republic, have been sold in Buenos Ayres, and elsewhere in that Confederation, at the uniform price of twenty dollars in gold per copy.

Accompanying this memorial is a copy of the map in question. Please examine it carefully, and dispose of it in whatever manner you may deem most proper. First the Bolivian Commissioners in New York, and afterward the Bolivian Government itself, at La Paz, not only approved my work most entirely and heartily, but expressed themselves as highly delighted with the map, and even went so far as to tender me an ostentatious and formal compliment on the skill and success which, as they were pleased to say, I had displayed as an American artisan and map-maker. Those compliments, like many other stupendous monuments in my possession of Bolivian verbosity, have proved to be of the value of a very small fraction of the paper on which they are written.

A part of the foregoing statement of facts is here made in evidence of the additional fact, (a fact fit to be held in constant remembrance,) that I did not, either in person or by agent, go to Bolivia soliciting business, but that Bolivia came to me, seeking my skill as an engraver, requesting my services as a publisher, and, by means of false pretences and fraudulent promises, betraying me into the expenditure of a large portion of my patiently and justly acquired earnings, the accumulations of long years of industry and economy on my part, for the gratification and advantage of herself alone.

Of the twenty-five thousand dollars which the Bolivian Commissioners, acting for their government, were to pay me in this transaction, the sum of two thousand dollars was to be paid on the commencement of the work, and the larger sum, twenty-three thousand dollars, was to be paid on the completion and delivery of the maps, or very soon afterward. The smaller sum here mentioned was paid at the time agreed upon; but the larger sum, being the bulk of the amount due me, has never been paid, nor even so much as one cent of it, to this day; notwithstanding the fact that the Bolivian Government has, meanwhile, repeatedly passed acts, resolutions, and decrees, issued orders in council, given scores of presidential assurances, indulged in hundreds of ministerial promises, and dealt out consular and diplomatic pledges without number, and of the most solemn and binding character, all acknowledging the sacredness of Bolivia's purpose and duty to pay the debt, and (in words only, words inflated and befouled with the falsehoods of fifteen years, words, words,

words,) defining the ways and means, and declaring the times and places, for a final adjustment of the obligation.

These ever-ready, endless and unfulfilled promises of a nation to pay an eminently just and frequently acknowledged debt—promises which have gradually taken on, since 1858, every phase of official and extra official solemnity that the vilest stretch of disengenuous diplomacy can possibly apply to any case of debt or credit existing between a Government, on the one hand, and an alien individual on the other—constitute the new crime upon which I thus especially arraign before the highest bar of American justice, and, more generally, before the enlightened public judgment of all mankind, Bolivia, one of the sovereign and independent powers of the earth, a so-called republic, destitute of truth, destitute of honor, destitute of shame, and most conspicuously and painfully destitute of the modicum of merit necessary to entitle her to even the lowest or meanest place among the august family of nations.

And for this new species of crime, of which it would appear that Bolivia is alone the execrable author—a crime which she has wilfully and wickedly perpetrated against me times and ways without number, I now, and in this manner, respectfully petition your honorable body for speedy and equitable reparation to myself, and for adequate and condign punishment of the criminal.

Other high crimes and misdemeanors frequently and flagrantly committed by Bolivia, to the galling shame of the friends of enlightened self-government, and to the deep disgrace of true republican institutions, and upon which glaringly nefarious acts she ought, in a supreme international court of honor and equity, to be at once indicted and denationalized, will be briefly recorded against her toward the close of this memorial.

The precise measures of redress which I seek, will be found fully and clearly indicated in the following pages, in which the whole case at issue is amply elucidated in the correspondence of my last and present attorney, Mr. Hinton Rowan Helper, who holds full, exclusive and irrevocable powers from me, in this case, and with whom your honorable body, or the Honorable Secretary of State, or other officer or officers of the United States, will please adjust and finally settle and close this matter at the earliest convenient day.

It would be unbecoming and cruel, on my part, to burden the Congress of my country, or any other body of beings, mortal or immortal, with all the letters, notes, memorandums, dispatches, decrees, resolutions, orders, and acts, which have had their origin in this case; and of which Bolivia, on her own part especially, has been prolific to a most marvelous and reprehensible extent.

For the last three years and more, my attorney aforesaid has given close and constant attention, both in Bolivia and out of Bolivia, to my interests in the premises; and from his own voluminous correspondence and papers in this regard (saving myself the labor of going back to cull

from the musty archives of a whole decade of antecedent writings,) I have selected the following documents, which constitute a fair *resumé* of the entire case; and these documents I thus most respectfully submit for the careful perusal, and for the equitable action, of your honorable body. On the slightest intimation of your desire to examine them, all the papers in the case, from first to last, from 1858 to 1873, inclusive, will at once be laid before you.

SECRETARY FISH TO MR. HELPER.

DEPARTMENT OF STATE,
WASHINGTON, *December 21, 1870.*

HINTON ROWAN HELPER, *Esquire.*

SIR: I have received your letter of the 19th instant, referring to one from you of the 28th ultimo, soliciting information in regard to the condition of the claim of Mr. Joseph H. Colton against the government of Bolivia, and asking the friendly interposition of this Department in behalf of the claimant.

In reply, I have to state, that the latest information upon the subject is contained in a note from the Minister of Foreign Affairs of Bolivia, under date of the 29th of May, 1869, to Mr. Caldwell, then United States Minister at La Paz, promising that his government will take into serious consideration the claim made by Mr. Colton, and adopt such action as justice shall require.

Pursuant to your request, instructions will be addressed to Mr. Markbreit, the present United States Minister in Bolivia, to renew the friendly offices which have been heretofore exercised with that government in regard to the claim adverted to.

I am, Sir,

Your Obedient Servant,

HAMILTON FISH.

MR. HELPER TO SECRETARY CORRAL.

SUCRE, BOLIVIA, *November 1, 1871.*

HON. CASIMIRO CORRAL, *Secretary of State of Bolivia.*

SIR: As a citizen of the United States of America, I have the honor to inform you, that I have just arrived within the capital of Bolivia, under full and perfect power of attorney to settle, with the Government of Bolivia, a certain matter of business of long standing, which I will now briefly explain.

In the summer of 1858, there arrived in the city of New York, two experienced and distinguished engineers of Bolivia, Colonel Juan Ondarza

and Commandant Juan Mariano Mujia, duly commissioned by the Bolivian Government to procure the engraving and the publishing of ten thousand large maps of the Republic of Bolivia, from rough but careful and correct sketches in manuscript by those gentlemen themselves. On the 21st of September, 1858, more than thirteen years ago, Colonel Oндарза and Commandant Mujia entered into an agreement with Mr. Joseph H. Colton, of New York, one of the most celebrated map-publishers in the world, by which agreement Mr. Colton was to engrave the map faithfully and artistically on a copper-plate, and to publish therefrom (he furnishing all the materials and labor) ten thousand well-finished copies of the same, for the sum of twenty-five thousand dollars of the United States,—a sum equivalent to thirty thousand dollars, more or less, of the Republic of Bolivia. In all respects, the work was well executed by Mr. Colton,—the map itself having been one of the finest and best labors of his life,—and not an iota of his part of the contract was left unfulfilled. Of the whole amount stipulated to be paid, the sum of two thousand dollars was advanced; but since then Mr. Colton, greatly to his disappointment and injury, has not received one cent.

It is to the honor of Bolivia that she has always acknowledged her obligation to pay this debt; but mere acknowledgments of obligation, and idle promises to pay, can never compensate Mr. Colton for his very large outlay of money and labor in behalf of Bolivia, thirteen years ago. Indeed, he has assured me that the actual cost to himself of the materials and labor he used, in the publication of the ten thousand maps, without charging anything whatever for his own personal services, was twenty-one thousand dollars in gold. The two thousand dollars paid, deducted from the twenty-one thousand dollars of real, unavoidable expenses, leaves nineteen thousand dollars as the sum in money, in addition to his own personal and valuable services, which Mr. Colton, in that way, advanced to Bolivia so long ago as 1858; and, as already remarked in substance, on this large amount, so manifestly due upon the commonest principles of justice and equity, nothing whatever, in the way of interest or otherwise, has ever been paid. Moreover, in addition to the regular and heavy expenses thus incurred, Mr. Colton also paid all the incidental charges for boxing and shipping the maps, and for the marine insurance and freight on them, from New York to Arica, amounting, in the aggregate, to something over thirteen hundred dollars; which, added to the \$21,000 already mentioned, makes the sum total of \$22,300 as the whole first cost to himself of the various issues of this very unfortunate transaction; leaving a dead loss, thus far, of \$20,300 in gold, as principal, actually paid out for Bolivia, thirteen years ago.

It may, I think, be seriously doubted whether Bolivia may reasonably or rightly expect that an altogether favorable impression will ever be produced on the minds of those who examine her maps—the maps which exhibit her as a part of the world—so long as those maps remain unpaid for. This I say because I believe that an avenging spirit of justice will,

sooner or later, and with unerring exactitude and propriety, punish and correct every wrongful act.

On the 20th of September, 1864, President Acha addressed to the Congress of Bolivia a special and patriotic message upon the subject of this debt, eloquently asking for the passage of an act authorizing its speedy payment; and Congress, responsive to his just and prudent pleadings touching the honor and dignity of Bolivia, passed an act instructing the Secretary of the Treasury to pay the amount then due, including the interest and difference of exchange, which, with the principal, amounted, at that time, to \$38,242 in Bolivian money. Yet, as twice remarked already, not one cent has Mr. Colton ever received since the first and only payment—a payment in advance—of only two thousand dollars.

Here follows an extract translated from the well conceived message of President Acha, September 20, 1864, recommending, but recommending in vain, that payment be made:

“The history of this business, the engraving and publishing of the valuable map of Bolivia, by Mr. J. H. Colton, a citizen of the United States, most clearly shows how just the claim is, and how loudly the dignity of the nation calls for its payment. * * * I reiterate my preceding recommendation, and trust that the subject will receive the serious attention of Congress, since, although the Minister of the United States has not given an official character to his request for the satisfaction of this claim, it is none the less the duty of the Republic to preserve its honor, which is now so deeply committed for the payment.”

Having thus briefly stated to your Excellency the facts in this case, I beg that you will, in conference with President Morales, seriously consider the sacredness of the obligation involved, and, in recognition of the duty of Bolivia to discharge the debt without further delay, name to me an early day and hour when I may have the honor of calling on you with the view of arriving at a good understanding as to the time and place of full and final payment.

A letter which I have in hand from the Hon. Hamilton Fish, Secretary of State of the United States, referring to another letter from the Department of State, at Washington, addressed to the Hon. Leopold Markbreit, United States Minister to Bolivia, bearing upon this same subject, will be submitted to you, when I shall have the honor of calling on you according to your appointment; Mr. Markbreit himself not being in Sucre at this time.

I am, Sir, with great respect, your obedient servant,

HINTON ROWAN HELPER.

SECRETARY CORRAL TO MR. HELPER.

[Translation]

DEPARTMENT OF GOVERNMENT AND FOREIGN AFFAIRS,
SUCRE, BOLIVIA, *November 4, 1871.*

HINTON ROWAN HELPER, *Esq.*

SIR: I have received your highly esteemed communication of the 1st instant, advising me of your arrival in this city with full powers for prosecuting against this government the claim of Mr. Joseph H. Colton, of New York, for the maps of Bolivia, which were published under the contract with Messrs. Juan Ondarza and Juan Mariano Mujia.

The government finds itself animated by the best desires to satisfy all just demands, and hopes you will adduce the necessary vouchers and accounts, to the end that such equitable action may be taken as will contribute to the interest and credit of the nation.

With this motive, I am much pleased to offer you assurances of the respect and consideration with which I am your attentive and faithful servant,

CASIMIRO CORRAL.

AFFIDAVIT OF GEN. JUAN MARIANO MUJIA.

[Translation.]

SUCRE, BOLIVIA, *November 9, 1871.*

The citizen Juan Mariano Mujia, of Bolivia, at the suggestion in person of Mr. Hinton Rowan Helper, a citizen of the United States of America, declares and certifies as follows: That on the 8th of March, 1858, a Cabinet Council of the Republic of Bolivia, passed a Supreme Resolution, authorizing the publication of the National Map of Bolivia, then only in rough outline, for account of the nation. In consideration and virtue of that Supreme Resolution, the National Congress, assembled in Cochabamba, passed a law, on the 27th of October, 1864, ordering that payment be made to Mr. Joseph H. Colton, of New York, of the whole amount of his account for the edition of the said map.

The law thus mentioned, in Mr. Colton's favor, was enacted by the Congress of Bolivia, having in full view all the previous papers in the case, including the record of the fact that two thousand copies of the map had already been sold, for account of the Government, at *twelve dollars* per copy, amounting in the aggregate to \$24,000, which was then almost sufficient to pay the debt for the whole edition. Afterward, of the eight thousand copies still stored in the Custom-house at Arica, three thousand copies were brought forward, and also sold for account of the Government, at *five dollars* per copy, yielding a gross sum of \$15,000, which, added to the other gross sum of \$24,000, made a sum total of

\$39,000, which has been actually paid into the National Treasury of Bolivia, from the sale of only one-half of the said maps; and all this without taking into account other copies since ordered by the Government, and sold at different prices.

By the brief statement I have thus made, the truth of which statement is in the conscience of all around me, it will be seen that the edition of the Map of Bolivia, because of the money already received for copies sold, can never occasion burden or loss to the National Treasury.

Delay, in the matter of payment, has been caused solely by our political dissensions and civil wars, to which must be attributed the increase, by way of interest, in the amount now due to Mr. Colton, who, on his part, faithfully fulfilled all the conditions of the contract that we, as the representatives of Bolivia, entered into with him, and which said contract has been solemnly recognized and sanctioned by various acts of our National Congress.

Finally, let it suffice to say, that the payment of the claim now made by Mr. Colton's attorney, Mr. Hinton Rowan Helper, than which claim, nothing can be more just, will only be complying with the laws of the Republic, and, at the same time, be in harmony with our public faith and our national honor.

JUAN MARIANO MUJIA.

Conformably to the laws of Bolivia, the foregoing affidavit of Gen. Mujia was, on the 14th of November, 1871, duly acknowledged, and sworn to, before Jose Feliz Oña, a Notary Public, and Celedonio Ayila, the Prefect, of Sucre, otherwise sometimes called Chuquisaca.

H. R. H.

AFFIDAVIT OF COL. JUAN ONDARZA.

[Translation.]

LA PAZ, BOLIVIA, *December 23, 1871.*

The undersigned, Juan Ondarza, Engineer in Chief of the Republic of Bolivia, declares and certifies as follows:

1. That I was one of the original public contractors for the engraving, publishing and transmission of ten thousand copies of the map of the Republic of Bolivia, which was ordered by the National Government, in Cabinet Council, by decree of March 8, 1858, which commissioned for that purpose the authors themselves of the said map, Juan Mariano Mujia and myself—who were provided with authority, instructions and recommendations the most convenient and ample.

2. That, in virtue of the said decree, authority and instructions, we proceeded to New York, in the United States of America, and there became parties to a solemn agreement in writing, with Joseph H. Colton, a citizen of that Republic, who was the proprietor of one of the

largest and most reputable map-publishing establishments in that country for the engraving on copper of the said map, and for the publishing and shipping of ten thousand complete copies of the same, (most of them mounted on rollers, but some with flexible seams for folding,) for the round sum of twenty-five thousand dollars in gold, which sum the Government of Bolivia was to pay to the said Colton soon after the publication of the map.

3. That the said agreement was approved and accepted by the Government of Bolivia, which obligated itself to pay Mr. Colton the amount stipulated, and to do so within a brief period, as expressed in the peremptory decree of April 31, 1860.

4. That the debt for the maps was again recognized by an Act of the Bolivian Congress in May, 1861, which ordered payment of the money, from that time forward, by installments.

5. That, acting on the last-mentioned law, the administration of President Jose Maria Acha, fixed the sum of eight hundred dollars to be paid monthly out of the public treasury of La Paz, into the hands of the Minister Resident of the United States near the Government of Bolivia.

6. That none of the aforementioned laws or provisions having been carried out, it devolved on the National Congress, assembled in Cochabamba, in October, 1864, to make, and it made accordingly, a new and solemn recognition of the debt; fully guaranteeing the amount due, and ordering it to be paid to the new ministerial representative from the United States, the Hon. Allen A. Hall, who was also the representative of Mr. Colton.

7. That, sad to relate, the law last mentioned was not complied with, because, almost immediately after its enactment, the successful rebellion of Melgarejo caused the trampling out and ignoring of all the pre-eminent rights and duties of the nation.

8. That, as Chief of the Commission named and delegated to have the Map of Bolivia published, and as principal author of the said map, I have always endeavored to have our part of the contract made good, having frequently appeared before the Congress and Government of my country, soliciting such effective resolutions and decrees as would lead to the fulfillment in good faith of the sacred obligations resting upon us in this regard, and with which obligations the honor and credit of Bolivia are now so intimately connected.

9. That, with his part of the contract, Mr. Colton observed the most scrupulous and punctual compliance, engraving and publishing, at his places of business, in New York, the ten thousand copies of the Map of Bolivia; and then, as per request and instructions, shipping the same, in boxes, at his own cost, to the port of Arica, subject to the order and disposition of the Bolivian Government; that, for a long while, most of the said maps were kept in the Custom-house at the said port of Arica; and that, in conformity with the decree of March 8, 1868 two thousand copies of the said map were delivered to the Government, at La Paz, by

Mr. Mujia, from the proceeds of the sale of which our own account was to have been paid. These two thousand copies of the map were sold at *twelve dollars* per copy, and the money deposited in the National Treasury.

10. That subsequently, in accordance with the law of October, 1864, three thousand other copies of the said map were disposed of by the Government at *five dollars* per copy. The aggregate of the two sums thus actually realized by the Government of Bolivia, from the sale of only five thousand copies of the map, was in excess of the sum total of Mr. Colton's account at that time.

11. That the late Minister Resident of the United States in Bolivia, the Hon. John W. Caldwell, at the instance of his own Government, addressed to our Bolivian Secretary of State, during Melgarejo's administration, an official communication, of the nature of an international question, looking to reclamation in this matter. The communication in question was forwarded to me at Copacabana, where I was then confined in feeble health, asking me for exact information touching all the points of this case; and, on the 19th of September, 1869, I replied thereto at length, substantially in accordance with these present declarations.

12. In conclusion, having positive and correct knowledge of all the facts of this case from its very incipency having been a witness in my own person of the praiseworthy labors and sacrifices of Mr. Colton, who so ably and successfully fulfilled his part of the contract, and who gave his faith and credit to the Government of Bolivia, in the manner here explained, I further declare and certify, that I am aware that the unjustifiable disappointments and delays to which the said Mr. Colton has been subjected, from time to time, by the said Government of Bolivia, have, more than once, nearly caused his financial ruin, and seriously crippled and retarded him in his business. Wherefore, I now venture to entreat the exalted sense of equity and duty of the Patriotic President, General Augustine Morales, and of the Illustrious Secretary of State, Doctor Casimiro Corral, in favor of this pre-eminently just claim, which is now again presented for final settlement, by Mr. Colton's new and special attorney, the Hon. Hinton Rowan Helper, a distinguished citizen of the United States, into whose hands I have the honor to place this present synopsis of information and declaration, to the entire truth of which I here give my name in autograph and my word of honor.

JUAN ONDARZA.

On the 27th of December, 1871, the foregoing affidavit of Col. Ondarza was duly acknowledged, and sworn to, in conformity with Bolivian law, before Lorenzo Vargas, a Notary Public, and Uladislao Silva, the Prefect, of La Paz.

H. R. H.

SECRETARY CORRAL TO MR. HELPER.

[Translation.]

DEPARTMENT OF GOVERNMENT AND FOREIGN AFFAIRS,
LA PAZ, BOLIVIA, *January 4, 1872.*

HINTON ROWAN HELPER, *Esq.*

SIR : I have received, and have submitted to His Excellency, the President of the Republic, your very agreeable communication of yesterday, relative to the claim of Mr. Joseph H. Colton, for the Maps of Bolivia, which were engraved and published in New York.

For the taking of this matter into full and just consideration, nothing else is now necessary than the arrival in this city of the Hon. Leopold Markbreit, Minister Resident of the United States.

So soon as the arrival in question shall have taken place, the business you have in hand with this Government will be acted upon in conformity with the principles of strict justice.

With this motive, I offer to you the assurances, and especial consideration, with which, I am,

Your attentive servant,

CASIMIRO CORRAL.

MR. HELPER TO SECRETARY CORRAL.

LA PAZ, BOLIVIA, *January 16, 1872.*

HON. CASIMIRO CORRAL, *Secretary of State of Bolivia.*

SIR : In the United States, where, for the last ninety-six years, we have been making steady and auspicious progress toward the true principles of republican government, and toward such condition of things generally as should characterize mankind in the highest and best estate attainable in this life, an Act or a Resolution of Congress is regarded as a proceeding so solemn and binding as to be held sacred. I am somewhat familiar with our Federal Laws, (our Statutes at Large,) and am not aware that it has ever been necessary for our national legislators to pass more than one Act, or one Resolution, to accomplish a single object.

In Sucre, more than ten weeks ago, just before President Morales and yourself set out on the way from that city to this, I had the honor to acquaint or re-acquaint you fully with the old-standing, long-unsettled business, in connection with your Government, that has brought me to Bolivia, and to solicit your aid in its early and equitable settlement. I am now in La Paz for the same purpose ; for the purpose of obtaining payment of the money due Joseph H. Colton, of New York, for ten thousand large maps which he engraved and published of and for the Republic of Bolivia in the year 1858; and considering the extraordinary and important

fact that the Bolivia Government has already, by Acts and Resolutions of Congress, and by Presidential Decrees, on no less than five different occasions, ordered payment of the amount due the claimant, I trust that your Excellency will perceive the justice and propriety of closing the case accordingly, without further delay.

In connection with the three letters, besides this, which I have already had the honor to address you, the first under date of November 1, 1871, the second dated November 4, 1871, and the third bearing date of January 2, 1872, I now most respectfully submit to you, for your examination, the twelve additional papers herewith inclosed, numbered and described as follows:

No. 1. Memorandum and substance of the Presidential Decree of March 8, 1858, under which decree authority was given to contract for the engraving and publishing of the map.

No. 2. Original agreement between the Bolivian agents and Joseph H. Colton, for the engraving and publishing of ten thousand copies of the map.

No. 3. Printed Solicitation made by Colonel Juan Ondarza and Commandant Juan Mariano Mujia, to the Government of Bolivia, in behalf of Joseph H. Colton, May 23, 1861.

No. 4. Resolution of the Government, May 7, 1860, ordering payment of the amount due the claimant; not paid.

No. 5. Legislative Resolution, August 12, 1861, ordering payment of the amount due the claimant; not paid.

No. 6. Legislative Resolution of July 22, 1863, ordering payment of the amount due the claimant; not paid.

No. 7. Act of Congress, October 27, 1864, ordering payment of the amount due the claimant; not paid.

No. 8. Financial Law and Budget of Bolivia, published at Cochabamba, in 1865, under Government authority, recognizing (on the last page but one) the obligation of the Republic to pay the debt; not paid. In plain truth, this paper may be said to constitute the sixth (as yet) unfulfilled deliberative promise of the Nation to pay its long-waiting, long suffering creditor.

No. 9. Statement and Declaration of Col. Juan Ondarza, in favor of Joseph H. Colton, dated at La Paz, December 23, 1871; the same being a concise, terse, and truthful history of the whole case.

No. 10. Statement and Declaration of Commandant Juan Mariano Mujia, in favor of Joseph H. Colton, dated at Sucre, November 9, 1871. This paper, like Col. Ondarza's paper, is historically and statistically valuable, and shows, as Col. Ondarza's paper also shows, that the Government has already received \$39,000 from the sale of only one-half of the maps, besides having unsold maps suspended, for general reference, in most of its public offices throughout the Republic. Interest fairly calculated on the amount thus actually received from the sale of only one-half of the maps, and added to the principal, would probably amount to considerably

more than the sum total of the claimant's account now awaiting payment.

No. 11. The semi-official newspaper, *La Reforma*, of La Paz, No 25, June 28, 1871, first page, sixth column, in the course of an article on the finances and liabilities of the nation, mentioning the debt due to Mr. Colton, and twice stating the amount at \$56,000, which is considerably more than Mr. Colton claims under the six per cent. agreement. It is understood that this article was written by a gentleman to whom the Bolivian Ministry itself had, two years previously, referred the papers in this case, requesting him to make up the account.

12. Original power of attorney given by Joseph H. Colton, claimant, to Hinton Rowan Helper, to collect from the Government of Bolivia the money due the said claimant, and to give to the said government a final receipt and acquittance therefor.

I beg that your Excellency will bestow upon these papers the earliest attention that you can conveniently give them; so that I may not be unnecessarily detained here on expenses and loss of time, which would cause an aggravation of a case already too aggravated in certain of its features. My client, Mr. Colton, is now getting to be an old man, at least three score years and ten, and expects soon to be gathered to his fathers. He has more than once feelingly and sadly assured me that, up to the present time, his business relations with Bolivia have caused him more disappointment, vexation and trouble than all the other business relations of his life put together. A timely application of the genuine principles of law and equity in this case, may redeem Bolivia in the estimation of this long-indulgent creditor, this good old man, (and of many other right-minded men,) before the final summons shall be received to pass from earth; and that this may be so, I confidently rely on the generally conceded superior morality, prudence, and power of your present government.

I remain, Sir, with great respect, your Excellency's obedient servant,
HINTON ROWAN HELPER.

CERTIFICATE OF MINISTER MARKBREIT.

LEGATION OF THE UNITED STATES,
LA PAZ, January 23, 1872.

I hereby certify that, on the 18th instant, I placed into the hands of the Hon. Casimiro Corral, Secretary of State of Bolivia, the original of the foregoing copy, together with the twelve inclosures therein specified.

L. MARKBREIT,
United States Minister Resident.

[L. S.]

DECREE OF THE BOLIVIAN GOVERNMENT.

[Translation.]

MINISTRY OF FINANCE AND INDUSTRY,

LA PAZ, BOLIVIA, *February 1, 1872.*

In view of the contract made in New York, on the 21st of September, 1858, between Joseph H. Colton, of the one part, and Juan Ondarza and Juan Mariano Mujia, of the other part, for the engraving and publishing of ten thousand maps of Bolivia, for the sum of twenty-five thousand dollars in gold; in view also of the decree of March 8, 1858, authorizing the making of the said contract; also the laws of August 12, 1861, and October 27, 1864, which order payment of the sum due the claimant; also the financial law of the Republic for the year 1865, which recognizes the debt, including interest, at the rate of six per cent. per annum, and difference of exchange, in the sum total, at that time, of thirty-eight thousand dollars: It is hereby acknowledged and declared, that the claim now made by Joseph H. Colton, through his attorney, Hinton Rowan Helper, is just, and entitled to preference in payment: In virtue whereof, the Government of Bolivia, desiring to maintain the national credit, recognizes as now due the claimant, by way of principal, interest and difference in exchange, the full sum of fifty-one thousand nine hundred and eighty-five dollars in Bolivian currency, or, as otherwise expressible, the sum of forty-one thousand five hundred and eighty-eight dollars and fifty-four cents in gold, to be paid religiously out of the first funds that are obtained from the loan authorized by the Congress of 1871.

Take notice of this, and pass it to the Director General of Accounts, for the registry of the sum of forty-one thousand five hundred and eighty-eight dollars and fifty-four cents in gold (\$41,588.54 in gold,) to be paid to Joseph H. Colton.

Sign-manual of His Excellency,
PRESIDENT MORALES.

By order of His Excellency,
GARCIA,
Secretary of the Treasury.

CERTIFICATE OF MINISTER MARKBREIT.

LEGATION OF THE UNITED STATES,

LA PAZ, BOLIVIA, *February 6, 1872.*

I, the undersigned, United States Minister Resident in Bolivia, do hereby certify, that the foregoing is a true and correct copy of the original decree; which said original decree is deposited in this Legation.

In testimony whereof, I have hereunto set my hand and affixed the seal of this Legation.

[L. S.]

L MARKBREIT,
United States Minister Resident.

MR. COLTON TO MINISTER MARKBREIT.

NEW YORK, *March 27, 1872.*HON. L. MARKBREIT, *United States Minister, La Paz, Bolivia.*

DEAR SIR : Mr. Helper has returned to this city, and has laid before me numerous papers in relation to my claim against Bolivia, which, after the long period of fourteen years, is, I regret to have to say, still unpaid. However, the Decree passed by the Bolivia Government, on the first day of last month, again recognizing the debt, and promising to pay it, will, I trust, soon be fulfilled, in both letter and spirit, and so bring the case, even though at this late day, to an amicable and satisfactory conclusion.

Among the papers, or copies of papers, submitted to me by Mr. Helper, is one in the form of an explanatory and defensory supplement to the account rendered by him to the Government of Bolivia in my behalf. In this paper, he shows plainly that, while the legal rate of interest here, where the debt was incurred, and is due, is seven per cent. per annum, he has, with the understanding that the whole amount is to be paid a few months hence, charged Bolivia only six per cent., and that this lower rate of interest, for so long a time, considering the amount of the principal, is much in favor of Bolivia, and against me.

As you are doubtless well aware, it is a universal custom here, with the banks and other financial houses, whenever a note or other obligation falls due, and is not paid, to have it renewed in the sum of both the principal and the accrued interest; and thenceforward the obligation draws interest on the whole amount so consolidated. Why, then, should Bolivia, to the detriment of myself, be an exception to this rule? Are nations to be more favored than individuals, and accounted at the same time as less responsible and less honorable? On various occasions, in years past, Bolivia has solemnly promised to pay me a specified sum, as the full amount due me. Suppose she had done so, as, in good faith, she ought to have done, and I had put the money out at simple interest in New York, I would, meanwhile, have been receiving here seven per cent.; whereas, in Bolivia, I am now receiving (if, indeed, I am receiving anything at all, other than plentiful promises,) only six per cent. on the original sum of indebtedness.

It would have been both right and proper for Mr. Helper, as my attorney, to have charged seven per cent.; for I myself have had to pay seven per cent., and, in some cases, considerably more than seven per cent., for money to sustain me in the very business wherein Bolivia, in consequence of having failed to fulfill her equitable obligations, greatly embarrassed and crippled me fourteen years ago. And why, if I may ask, why should I be forced to pay seven per cent., to accommodate Bolivia at six per cent.? I do not say these things in condemnation of Mr. Helper, and certainly not, in any respect, as reflecting upon yourself; for I feel under sincere obligations to both you and him, and am

quite disposed to accept, as a final closing up of the whole case, the sum twice mentioned in the last decree, namely, forty-one thousand five hundred and eighty-eight dollars and fifty-four cents, in gold, or its equivalent; and all the more so, as I am informed by Mr. Helper that President Morales and Secretary Corral both assured you that the whole amount should be paid within "about four months" from the date of the said decree.

When I tell you, as I may with all candor and truth, and with no small degree of unavoidable vexation and sadness on my own part, that the high rates of interest which I have had to pay for money, the execution and verification of legal papers, the salaries and fees of agents and attorneys, and other expenses attending my fourteen years' unavailing efforts to obtain justice from Bolivia, have amounted, and will amount, by the time I get through with the case, even if at once closed up in accordance with the last decree, to considerably more than one-half of the whole amount mentioned therein, you will readily understand with what grace and justice, (or rather with what lack of grace and justice,) Bolivia can still withhold from me the money so long and so manifestly overdue. Thus, as you will perceive, no matter how soon I may receive the amount, the whole amount, mentioned in the last decree, I shall, in fact, as for myself, be the recipient of less than fifty per cent. of the entire sum. Transactions of this kind, where, in reality, the extraordinary delays, inconveniences and costs of the collection of just debts are so great as to practically reduce the amount to less than one-half of the sum due in equity, may or may not, require comment as against the delinquent party, but I am deeply impressed with the conviction that it is impossible for the injured party to forget them.

In conclusion, permit me to request that you will be so kind as to state to President Morales and Minister Corral the substance of this letter, and solicit from them, without further delay, an order on the bankers in London, who hold the funds out of which my long-deferred claim is to be paid, an order in form and substance similar to the one herewith inclosed, and which is, for the most part, a copy of a proposed order which I have found among the several papers submitted to me by Mr. Helper. The debt paid in this manner will at least save me from still further loss by way of exchange, or otherwise; and, in view of the foregoing statement of facts, I am sure that your own quick and correct sense of honorable dealings as between man and man, or as between men and governments, will recognize the perfect reasonableness of my request.

I am, dear sir, yours, very truly,

JOSEPH H. COLTON.

MINISTER MARKBREIT TO MR. HELPER.

LA PAZ, BOLIVIA, *March 31, 1872.*

HON. HINTON ROWAN HELPER.

MY DEAR SIR: I have the pleasure to acknowledge receipt of your favors written from Arequipa, Lima and Panama, and was glad to know that, on the 5th instant, you had arrived safely at the latter place. Mr. Colton's prospects are *good*. The Church loan seems to be almost certain of success. Just so soon as I learn that the loan has been realized, I shall insist upon this government giving me a draft for the entire amount of the claim, upon Messrs. Lumb, Wanklyn & Co., or rather, upon General Campero, the Bolivian Minister. I shall know in less than one month. Excuse haste. With kindest regards,

I am, your friend,

L. MARKBREIT.

SECRETARY CORRAL TO MINISTER MARKBREIT.

[Translation.]

DEPARTMENT OF GOVERNMENT AND FOREIGN AFFAIRS,

LA PAZ, BOLIVIA, *June 1, 1872.*HON. LEOPOLD MARKBREIT, *United States Minister Resident.*

SIR: With your pleasing communication of yesterday, I have received Mr. Colton's letter to you, from New York, in which he expresses his thanks to the National Government for the decree of the 1st of last February, which ordered payment of the amount due him for ten thousand maps of this republic; asking, at the same time, payment by draft in his favor, against Messrs. Lumb, Wanklyn & Co., negotiators of the Bolivian Loan in London.

So soon as we shall have received a full statement in regard to the said loan, the draft asked for will be given, as the National Government is interested that payment of Mr. Colton's claim be made, with preference, as soon as possible.

With this motive, I have the honor to subscribe myself,

Your most attentive and faithful servant,

CASIMIRO CORRAL.

MINISTER MARKBREIT TO MR. HELPER.

LA PAZ, BOLIVIA, *June 4, 1872.*

MY DEAR MR. HELPER: I wrote you last on the 28th ultimo. I now transmit to you a note from Dr. Corral, in answer to one from me, relative to the Colton claim. I think it will prove satisfactory, for in it they promise to give a draft for the amount due, on Messrs. Lumb, Wanklyn & Co., so soon as they can ascertain the amount of their credit. You

may believe me when I tell you that I shall not rest till they pay up. What if they decline to pay interest from the date of the decree? Should I, in that case, refuse to receive the draft? Send me instructions on this point. Congress will meet here. I don't send copy of my note to Mr. Colton, for want of time.

Your Friend,

L. MARKBREIT.

MR. HELPER (FOR MR. COLTON) TO MINISTER MARKBREIT.

NEW YORK, June 14, 1872.

HON. LEOPOLD MARKBREIT,

United States Minister, La Paz, Bolivia.

SIR: One of the ablest writers of antiquity, well known and deservedly honored in Hebrew literature, has assured us that there is a time for everything; and if that assurance be true, then there is a time when nations, like individuals, should pay for their maps.

At any rate, there is a time, now near at hand, when I, as an individual, am either to receive from the Republic of Bolivia, pay for the maps which I engraved and published for her, fourteen years ago, or shall have to relinquish, at once and forever, all faith in the integrity of her purposes and promises.

You are aware that both President Morales and Secretary Corral assured you that the last Decree of the Bolivian Government issued in my favor, under date of February 1, 1872, should certainly be made good, in all its provisions, within about four months from that time; but the four months mentioned, and half a month more, are now up and gone, and I am still suffering the injustice of the inconvenience and burdens of the interminable delays of a faithless debtor.

Under these circumstances, I will be as brief and pointed as possible in stating the final determination to which I have come. It is as follows:

1. If the whole amount of \$41,588.54, in gold, due me according to the terms of the decree of the first of last February, be not paid by or before the last day of next September, I shall, on the day following, submit all the papers in the case to our Department of State in Washington, and will solicit the Honorable Secretary of State to collect the money for me, including the large additional costs and charges, which are just and legal, but of which I shall never make any account whatever, provided the amount mentioned in the said decree, and now overdue, be paid by or before the 30th day of next September.

2. Immediately after the meeting of our Congress, early in December of the present year, I shall, if my claim be still unsettled, submit to that honorable body, copies of all the correspondence and papers in the case, earnestly petitioning that a war vessel, or two or more such vessels, if necessary, be dispatched to Cobija, or to Mejillones, for the collection of the money, and that Bolivia be required to pay, besides the increased

amount that will be found to be justly due me, all expenses of the naval expedition. I am well aware of the great gravity of these words, and of the peculiar positiveness of their import in this connection; having calmly deliberated with myself, and dispassionately advised with others, before determining on this outline of proceeding as a course of action to be followed. No other recourse is left me. I must do this or do nothing. My own sense of equity, linked with a sense of duty, tells me, that, in the contingency alluded to, it will be eminently right and proper for me to make the petition thus contemplated; and if it does, indeed, become right and dutiful on my part to make the petition, then, as a moral sequence, it will be but right and dutiful on the part of Congress to grant it.

3. In the event that, in a last effort to obtain my rights in this case, it shall become necessary for me to pursue the course here foreshadowed, I shall take occasion to urge upon our Government the very serious consideration of the question, whether a nationality that is either too dishonest or too poor to pay for its maps, is, in any respect, worthy of a place among the family of nations? Taking the negative of this question, I shall, with such humble ability as I possess, endeavor to prove that Bolivia, having, for the full period of fourteen years, been either too dishonest or too poor to pay for her maps, is no longer worthy of recognition as a distinct nationality.

4. Well justified and strongly fortified as I feel I shall be in the position thus assumed, I shall argue further, that it is derogatory to the dignity of the United States to maintain a Minister or even a Consul, within the limits of such a self-exhausted and disreputable community as Bolivia; and will further give it as my opinion, with reasons in detail, that all honorable nationalities should at once withdraw from that unworthy country every system and grade of international intercourse, and not only permit, but effectually encourage, the speedy and complete absorption of Bolivia by one or more of the contiguous Commonwealths; in other words, that Bolivia must immediately conform her conduct to a higher standard of honesty and dignity, or be forever ignored and blotted out from the family of nations, and her territory and obligations allowed to lapse to one or more of the abler and better conterminous States,—to Peru, to Chili, to Brazil, or to the Argentine Republic; or to any two or three, or to all, of those neighboring nationalities.

Inclosed herewith you will find a copy of this communication, which, in the event that the money so long overdue is still withheld, and in the further event that you deem it right and proper that the Government to which you are accredited should be advised, in ample time, of this determination on my part, you will please transmit to the Honorable Secretary of State of Bolivia.

I have the honor to be, very respectfully, your obedient servant,

JOSEPH H. COLTON.

By his Attorney:

HINTON ROWAN HELPER.

MINISTER MARKBREIT TO MR. HELPER.

LA PAZ, BOLIVIA, July 3, 1872.

MY DEAR MR. HELPER: I am in receipt of your letter dated June 14, and, in reply, beg to say that *if you and Mr. Colton will only have a little more patience, I will insure you the full payment of the latter's claim before the next meeting of our Congress.* You will gain nothing by threats; while I have the firm conviction that I can collect every cent of your claim, if you will only leave the management of the matter to me. Excuse the brevity of this note, but I am exceedingly occupied to-day in making preparation for a grand dinner, which I intend to give to-morrow. Keep cool, my dear Mr. Helper, and I give you my word that I shall see that justice is done Mr. Colton.

Truly yours,

L. MARKBREIT.

MR. HELPER TO MINISTER MARKBREIT.

NEW YORK, August 7, 1872.

HON. LEOPOLD MARKBREIT, *United States Minister, La Paz, Bolivia.*

DEAR SIR: Your letter of the 3d of July is before me. Let us reason together.

After Mr. Colton, with the faith of an Abraham and the patience of a Job, had waited nearly fourteen long years for Bolivia to keep just one of the numerous official promises in the form of decrees, resolutions and orders, which, at various intervals during that period, she had issued in his behalf, as so many tokens of her intention to pay him for ten thousand large maps, which he engraved and published for her in 1858, it became but too evident that she was only trifling with him.

Congressional acts, legislative orders, government decrees, presidential promises, ministerial pledges, diplomatic guarantees, and consular assurances, have again and again been given with a readiness and redundancy that might have been honorable, but for their uniform disingenuity and non-fulfilment.

Meanwhile, as stated in his letter to you, under date of the 27th of March, Mr. Colton, in his long series of efforts to obtain at least an approximation to justice in this case, has already been put to the enormous expense of more than one-half of the whole amount mentioned in the last Bolivian decree.

Are these proceedings on the part of Bolivia to be taken as examples of the honor and justice of certain newly-organized nationalities in the nineteenth century? and are these the inklings and rules of morality that those nationalities would teach their citizens? If so, the sooner such nationalities cease to exist as sovereign states, the better will it be for mankind, and for the world at large.

When, at great disadvantage to Mr. Colton, and at no little peril and expense to myself, I went personally to Bolivia. last year, it was to make a *final* effort to obtain the money due on this eminently just and long-pending claim. President Morales and Secretary Corral both said yes, and proposed another decree, as if, forsooth, the claimant had not already, for nearly half a generation, been gorged and surfeited and nauseated on such worthless papers.

Bolivia's previous and frequent disregard of the sacredness of such obligations had naturally filled me with distrust; yet, in deference to your opinion and advice, I accepted the proffered document; with the distinct understanding, however, that the money should be forthcoming in the matter of about four months from the first of February, which would bring the time of maturity down to about the first of June.

It is now August, 1872; the money, due since 1858, has not been paid; a youthful nation still owes an elderly individual an old debt for its maps; it is a debt of fourteen years' standing; the creditor, an aged man, now in his 73d year, has waited and waited, respectfully and patiently, almost to the end of his days; and yet the debtor, one of the distinct governing powers of the earth, has the hardihood, not to say shamelessness, to ask for a longer indulgence of time.

I will not here protest that this request comes accompanied by circumstances which would warrant the inference that, in the estimation of Bolivia, Mr. Colton is now in his dotage, or that he has become wholly oblivious to those priceless sentiments of self-respect and manhood which are so peculiarly characteristic of almost every American citizen; but this I will say, that it is the direct cause of a provocation that would seem to justify the use of words far more forcible and scathing than complimentary; but I will forbear.

In the plenitude of your faith in Bolivia's integrity, as I learn from your note of the 3d of July, you kindly speak for her, as follows: "If you and Mr. Colton will only have a little more patience, I will insure you the full amount of the latter's claim before the next meeting of our Congress." To which, in addition to what I have already said above, I have simply to reply, that Mr. Colton and I, again deferring to your wishes and advice, (and on your account alone,) have concluded to hold everything in suspense, and will wait, if necessary, until the next meeting of our Congress; but under no consideration whatever will we wait one day or one hour longer, except as formal and public petitioners to the government of the United States for the righting of this gross, musty, and cruel wrong; a wrong with which we, as mere individuals, endowed with but a single life-time, and not gifted with either the strength of a Samson or the longevity of a Methuselah, feel we have no power to cope.

I am, dear sir, very respectfully, your friend and servant,

HINTON ROWAN HELPER.

MR. HELPER TO MINISTER MARKBREIT.

NEW YORK, August 19, 1872.

HON. LEOPOLD MARKBREIT. *United States Minister, La Paz, Bolivia.*

DEAR SIR: With all our Ministers to Bolivia, except yourself, since the Colton claim fell due, fourteen years ago, Bolivia has played fast and loose, and has adroitly succeeded in making them, each in his term, believe fib after fib, and falsehood after falsehood, until from some cause or other, their terms of office were respectively up, when the spell would be broken, and they would at last awaken to the sorry fact that they had, all the while, allowed themselves to be most craftily and egregiously duped.

That Bolivia is now boldly presuming to play this same low and dishonest trick upon you also, is, to me, as unwelcomely apparent as is the most brazen-faced embodiment of vice that struts the streets. But I have great confidence that you will not suffer yourself to be so ungraciously and pitiaibly deceived by her; albeit the false promise she gave you that she would pay the Colton money in "the matter of about four months" from the first of February last, is still unfulfilled, after the lapse of more than half a year.

Indeed, I shall not, for one moment, permit myself to doubt that you will find a way to vindicate your dignity, both as a man and as a minister. and, of course, you are much better qualified than I am to judge how far, if at all, you should consider, as entailed upon yourself, the many indignities of chicanery and untruth which have been so long and so often manifested by Bolivia toward at least three or four of your more immediate predecessors at La Paz.

There are some cases of shortcomings, and failures, and forfeitures of word, of such frequent and indefensible repetition, that, as it seems to me, there should be given, from a specified date to a specified date, but one further extension of credence; and, in my judgment, Bolivia was clearly a case of this kind, when, after fourteen years' practice of the most unblushing Machiavelism, she promised, on the first of February last, as she had similarly promised, for the hundredth time, more or less, that she would pay the Colton money in "the matter of about four months."

What can be fairer than that this particular act of bad faith on the part of Bolivia, should be charged against her, not as a single act, but as an act in addition to numerous others, equally bad, which she has artfully and meanly perpetrated during the last fourteen years? And what possible fitness or propriety is there in our maintaining, at a high salary, a Minister at the capital of a nation possessed of so little sense of justice, truth, or honor? Or rather, what rational excuse can be given for thus belittling and degrading the improved and elevated system of American diplomacy which has its fountain-head at Washington?

You will remember with what reluctance I accepted Bolivia's last Colton decree, hardly believing it of more value than its weight in chaff, so far as it represented any honest purpose on the part of its authors.

But, on your assurance that you thought they really did mean to pay, and would do so, as they promised, in "the matter of about four months," I deferred to your views and wishes, and left the case in your hands, formally requesting you, in the power of attorney which I executed to you, on the 7th of February, to collect the money and transmit it here to Mr. Colton.

According to the written and verbal provisions and conditions of this last decree, the money should have been paid about the first of June. In a mood of excessive liberality, under the circumstances, I only insisted that payment should be made not later than the 30th of September. You now ask for Bolivia, that the time be extended to the first of December. Be it so. Herewith, under date of the 7th instant, you have my letter, signed both by Mr. Colton and myself, complying with your request

Mr. Colton earnestly hopes that he may not be wearied nor worried in this matter with any more despicable devices, flagrant insincerities, nor unconscionable postponements. For such limitless stratagems and circumventions on the part of a nation, he feels that the life of an individual is too short, especially when, as in his case, more than seventy-two years have already passed. He wants justice from Bolivia; he wants it now; he has been waiting for it fourteen years; he wants the money due him since 1858. Henceforth any and every letter from Bolivia that fails to bring the money will prove unsatisfactory.

What reassurance can you give that this claim will be certainly and finally settled by the time you mention, or that in fact, without an appeal to force of some sort against Bolivia, it is now any nearer adjustment than it was fourteen years ago? Please give me full and explicit information in this regard, so that I may know, in good time, whether or not it will be necessary for me to prepare a memorial on the subject for the action of our Congress in December.

I am, dear sir, very respectfully, your friend and servant,
HINTON ROWAN HELPER.

MINISTER MARKBREIT TO SECRETARY CORRAL.

[Private and Extra Official.]

LA PAZ, BOLIVIA, *October 17, 1872.*

To His Excellency, Casimiro Corral, &c. &c.

ESTEEMED SIR AND FRIEND: By this mail I have received letters from Mr. Joseph H. Colton, of New York, in which he says that, not having received payment of his claim against Bolivia, he has determined to present to the Congress of the United States, which will assemble on the 2d of December, a memorial petitioning for the active intervention of that government in his favor.

I permit myself to communicate to you the intentions of Mr. Colton,

because to me it would be extremely disagreeable if he should, indeed, carry out those intentions; believing as I do that it would operate much to the discredit of Bolivia to have the case taken up before our Congress; and, with these views, I submit whether it may not be better to adopt measures to satisfy the just claim of Mr. Colton. If this gentleman is now impatient, he is hardly to be wondered at, or blamed, seeing that fourteen years have passed since he has been waiting to be paid. Up to this date, the total amount of the claim is \$42,648.39 in gold.

Of good disposition toward your Excellency, I am your attentive friend,
L. MARKBREIT.

SECRETARY CORRAL TO MINISTER MARKBREIT.

[Translation.]

LA PAZ, BOLIVIA, *October 17, 1873.*

To Mr. Leopold Markbreit, etc.

DISTINGUISHED AND ESTIMABLE FRIEND: At this very moment I have received your valued letter of to-day, in which you acknowledge receipt of communications from Mr. Joseph H. Colton.

I am very sorry that the gentleman intends to present a memorial to the Congress of the United States.

Be you persuaded and assured that the Government of Bolivia knows how to regard its obligations touching this just and legal claim, after having acknowledged the debt, and pledged its honor to pay it with preference. Consequently the time is not distant when the sum of the indebtedness can be raised; and for this reason I do not think it necessary that Mr. Colton should resort to the extreme measures which he seems to contemplate.

Having thus answered your esteemed favor of to-day, I have the pleasure to subscribe myself,

Your attentive friend and faithful servant,

C. CORRAL.

MR. HELPER TO MINISTER CROXTON.

NEW YORK, *February 13, 1873.*

HON. JOHN T. CROXTON, *United States Minister to Bolivia.*

SIR: After an unaccountable detention of nearly two weeks in Washington, your note of the 30th ultimo has been forwarded to me at New York.

I went to Washington, some weeks ago, with the intention of laying before Congress a memorial, publicly petitioning that honorable and supreme body, for the abolition of our mission to Bolivia, and for the forcible collection, by the Navy of the United States, of a somewhat

ancient but eminently just debt, due for the last fourteen years and more, from the Government of Bolivia, to Mr. Joseph H. Colton, of this city.

But having promised our present Minister at La Paz, Mr. Markbreit, that I would take no positive step in that direction before about the 15th of January, I found, after consultation with several Senators and Representatives, that no final action could be had on the case during the few weeks that then remained of the present short session of Congress.

Meanwhile, I conferred with Secretary Fish also, who kindly assured me, that, if I desired and requested it, he would, in the event of my not laying the case before Congress at this session, urge the matter a little stronger with our Minister to Bolivia.

Under these circumstances, I concluded to withhold the case entirely from Congress, for the present, and to make one more earnest effort to obtain justice privately and peaceably. That effort, in connection with my own individual and independent efforts, I am now making through the Hon. Secretary of State, Mr. Fish, whose predecessors in the State Department, for many years past, also gave, from time to time, more or less attention to the case.

In accordance with the suggestions of some of my friends in Congress, it is my intention, as attorney for the claimant, soon to communicate directly with the Bolivian Secretary of State on this subject, copies of which communication will be duly transmitted to both Secretary Fish and yourself; and after I shall have so communicated, there will probably remain very little, if anything, for you to do; and, perhaps, little or nothing for you to do before them. About this, however, I shall know better after I shall have had the pleasure of an interview with you. When will you arrive in New York, on your way to Bolivia, and where will you stop in this city?

Any information that I may be able to give you in regard to your necessary outfits for sea and land, (for you will need one particular outfit for your ocean passage, and another for your mountain journey,) will be given most cheerfully.

Yours, very respectfully,

HINTON ROWAN HELPER.

MR. HELPER (FOR MR. COLTON) TO THE HON. SECRETARY
OF STATE OF BOLIVIA.

NEW YORK, *February 15, 1878.*

To the Honorable, the Secretary of State of the Republic of Bolivia.

SIR: Of equal significance with this letter itself, is the inclosure herewith, to which your attention is respectfully invited.

This enclosure is substantially a copy of a communication which I addressed to Minister Markbreit, under date of the 14th of June last, stating to him, that the money so long overdue from the Government of

Bolivia to Joseph H. Colton, of this city, must be paid by the 30th of September following, or, in the event of non-payment, specific complaint of Bolivia's many acts of bad faith in the matter would then be made by me to my own Government, at Washington, and an earnest petition presented thereto, for an early redress of the gross and multitudinous wrongs to which I have herein been subjected during the last fourteen years.

In reply to my particular communication to Mr. Markbreit, of which the enclosed paper of the 14th of last June is a copy, he said he could not, consistently with his diplomatic duties and responsibilities, lay that communication before the Bolivian Government; but, instead of serving me and furthering the ends of justice in the manner I suggested, he took it upon himself, in effect, if not in purpose, to serve Bolivia and perpetuate and augment an already overgrown iniquity by using to me, in July last, these suasive and delusive words:

"If you and Mr. Colton will only have a little more patience, I will insure you the full payment of his claim against Bolivia before the next meeting of our Congress."

Deceived by the foregoing false promise, as I had already been deceived time and again, year in and year out, by other false promises, I waited until the first of last December, and even then, considering it possible that Minister Markbreit meant to assure me that it was at La Paz, and not in New York, that the money was to be paid "before the next meeting of our Congress," I advised him of the quandary that had arisen in my mind on the subject of the particular time and place of payment promised, and informed him that I would, as an additional proof of my patience and forbearance, give Bolivia the benefit of the doubt, and not take any decisive action against her until he could be heard from in reply, or until sufficient time had elapsed for me to hear from him in that regard. As yet he has made no reply whatever, and, strange enough, too strange, indeed, I have not received a line from him since the 20th of October, a blank interval as from him to me of nearly four months.

Nevertheless, that engagement on my part restrained me in honor from any earnest effort to induce Congressional intervention in my behalf until about the 15th of January, a month past, when, on consultation with a number of our Senators and Representatives in Washington, I was informed that the present short session of Congress was then already too far spent to admit of a careful consideration of the case, and final action upon it, before the 4th of next month, March, when the session will expire.

Cheated thus out of one-half of the present session of Congress, and assured that the period of the other half was, notwithstanding the justice of my cause, too limited for me to obtain the important legislation I desired, I concluded, on further consultation with Senators and Representatives, not to press the matter any further in that way for the present. but

to afford Bolivia, as I now do by this writing, one more generous opportunity to liquidate the debt in graceful compliance with the behests of amity and equity. If, as is but too true, there have been a thousand such opportunities afforded heretofore, not one of which has ever been honored with just recognition, please consider the number now a thousand and one, and this one the last.

Having submitted to you the foregoing paragraphs of information and explanation, I now deem it proper to lay before you the most essential part of this communication; and I do so, respectfully, by giving you the additional information that, unless the whole amount of the money so long overdue to me from Bolivia shall be paid to me here in New York by or before the 15th of next August, I shall immediately thereafter publish all the principal facts of the case in pamphlet form, and will send the same to every one of our own Senators and Representatives, to our President, and to each of the members of his Cabinet; and also to all the Governments of Europe and South America; and to the leading newspapers of the world. I will also, in the event of not receiving payment within the six months thus given, take, or cause to be taken, so far as I can, all the compulsory measures against Bolivia which I have mentioned in the enclosure herewith.

It is true that our Congress will not meet again until the first Monday in next December, but I will not wait till then; for, having already been beguiled into waiting nearly half a generation, it now behooves me to be more mindful of my own rights, and of the solemn duties I owe to my creditors, to my family, and to myself. Hence my desire and purpose to impart to our Senators and Representatives a full and true knowledge of the facts of the case in advance of their assembling in Washington, so that intelligent and warrantable action may be taken by them early in the ensuing session.

You will observe that, in the foregoing remarks, which are already more copious than I intended to make when I began this letter, I have said nothing in detail of the numerous deceptions and chicaneries that have been practised by Bolivia since 1858 to reduce and belittle (by allowing only unusually low, less than legal, rates of interest and otherwise) the amount lawfully due me, nor of the innumerable hollow promises and heartless delays that have caused me so much labor and loss of time, and an expense, up to this present moment, of more than twenty-six thousand dollars in gold, in unavailing efforts to collect the sum which Bolivia so justly owes me, and which should have been paid to me many, many years ago, without subjecting me to any expense whatever; but the facts here alluded to will form a part of my printed complaint to our Congress at Washington—if indeed I am eventually forced to make such complaint—and I shall then and there ask to be indemnified accordingly.

Yet I hope you will not, by inflicting upon me the glaring injustice of still further delays and disappointments, render it necessary for me to take the decisive step here foreshadowed. By or about or before the 1st

of July send to me in duplicate, (the first by one mail and the second by another, payable to the order of Joseph H. Colton, No. 80 Broadway, New York,) a draft for the full amount due me according to the last Bolivian decree, dated February 1, 1872, and all will be well.

Such a draft shall itself be your voucher of complete and final discharge from all indebtedness in the premises; but, if you desire it, the Minister of the United States to Bolivia is hereby authorized and requested to execute to you any additional release of the obligation that you may require, and his writing of release so executed shall be as absolutely good and binding against me as if the same were executed by myself in person.

Let it be distinctly understood, however, that the functions and privileges of the said Minister are hereby limited in time, in this case, to the 15th of July at furthest, as that is the very latest date from which a letter posted at La Paz can reach New York by the 15th of August, after which particular time I am firmly resolved not to wait on Bolivia one day longer, save only as I may have to do so in awaiting equitable action against her in my favor by the Congress of the United States.

Both the Government and the people of the United States are devotedly wedded to the principles of peace and good will toward others; they are also strongly attached to the principles of honor and justice toward themselves; but it is possible to offend them by subjecting them, for the full period of fourteen years on a stretch, to the endurance of a series of chafing and conspicuous wrongs; and, once offended in that way, they are apt to seek, and not unapt to obtain, redress for all the outrages so perpetrated against them.

There is now on file in the American Legation at La Paz a large number of elaborate documents bearing on this case, and although it may not now be necessary for you to examine any one of them, (it being only necessary for Bolivia to pay the money so many years overdue to me,) yet I should be glad if our Minister there would, on your request, lay before you for your perusal my letters to him under these several dates in 1872: March 27, March 29, June 14, July 29, August 7, August 19, September 9, and October 19; also, my last communication immediately preceding the issue of the last Bolivian decree to Secretary Corral, January 16, 1872, and the affidavits of Colonel Juan Ondarza, December 23, 1871, and General Juan Mariano Mujia, November 14, 1871; also, my letter to our new Minister, General Croxton, February 13, 1873. (General Croxton, still here, will soon take the place of Mr. Markbreit, who has been recalled.)

These several papers are fair samples of those which, with the Bolivia-Colton decrees themselves, will constitute my indictment against the Government and nationality of your country, and it is for you and the other gentlemen associated with you in the guardianship of your Republic to decide whether or not Bolivia—faithless Bolivia, long delinquent Bolivia—can afford to provoke into action the grave proceedings thus contemplated.

Herein my work is done; my word is spoken; I have nothing more

to say. Nor will I again suffer myself to be drawn into further barren correspondence with Bolivia, or with any one in Bolivia, on this subject. If any new attempts be made in this case to kill more time by useless inquiries, ambiguous statements, disingenuous promises, or Machiavelian propositions—such as have already occasioned me so much sad and ruinous expense in years and years gone by—I shall meet those attempts only by sending in reply a copy of this communication with its enclosure; copies of both of which papers I shall, within a fortnight from to-day, transmit to the honorable Secretary of State at Washington, and to the United States Minister to Bolivia, respectively. Duplicates of the same papers will also be forwarded to you in due time.

I am, sir, very respectfully,

Your Obedient Servant,

JOSEPH H. COLTON.

By his Attorney:

HINTON ROWAN HELPER.

MR. HELPER TO PRESIDENT FRIAS.

[Private Note.]

NEW YORK, *February 15, 1873.*

To His Excellency, the Hon. Tomas Frias, President of Bolivia.

MY DEAR SIR: It grieves me exceedingly that duty and justice to my much-worried and much-wronged client, Mr. Colton, (now nearly seventy-three years of age,) have at last constrained me to adopt the most specific and stringent measures for bringing his very just and officially recognized claim against Bolivia, before the Government of the United States, at the earliest possible day and in the strongest possible manner, provided the matter be not amicably and equitably settled by the time mentioned in the long communication which I have this day dispatched to the honorable Secretary of State of Bolivia.

Your excellency may remember that when I was in Chuquisaca, in 1871, I there had the honor to deliver to you a letter of introduction from Governor Frias, of Tucuman, in the Argentine Republic, and I myself have a very pleasing remembrance of the honor you did me in that city when you called on me at the residence of our amiable and worthy friend, Señor Don Mariano Ypía.

Do induce your people to pay at once the money so long and so justly due—so many years overdue—to Mr. Colton, and let us all, as Americans, and as men of reason and honor, be friends and not enemies.

With many sincere wishes for the success of your administration and for your health and happiness and long life,

I am, dear sir, very truly,

Your friend and servant,

HINTON ROWAN HELPER.

MR. HELPER TO SECRETARY CORRAL.

[Private Note.]

NEW YORK, *February 15, 1873.*HON. CASIMIRO CORRAL, *Secretary of State of Bolivia.*

MY DEAR SIR: The accompanying letter and its inclosure are so long and exhaustive, that, in strict propriety, this note ought to be brief. The conclusion and determination of Mr. Colton and myself, as explained in the papers referred to, are final.

In extending the time for payment six months more from the present date, in addition to the fourteen years and upward already taken by Bolivia, we trust that our patience and our liberality of disposition will be conceded, and that we may not be eventually compelled, under greatly aggravated convictions of unjust usage, to resort for relief to the harsh and disruptive measures which I have foreshadowed.

Simple justice, which we have so often—in so many years of the past—respectfully solicited, and which Bolivia has so frequently promised, is all we desire; let us have that, even at this late day, peaceably and in honor, and we will, by your consent, remain mutual friends and well-wishers.

Even in a mere pecuniary and worldly point of view, leaving out entirely the moral aspect of the question, (if indeed, one may *ever* dare to disregard that sublime and transcendent consideration,) it is for the interest of Bolivia to pay this debt, and to pay it, at the very furthest, within the ultimate time mentioned in my more elaborate communication of this same date.

Without taking against Bolivia the general action which I contemplate in the contingency alluded to, I could, I think, have had our mission to La Paz abolished before now. So that, of one thing at least, I can now very confidently assure you: unless the Colton claim be soon paid, you will, as I believe, have, in the person of Gen. Croxton, if he lives to arrive at your Capital, the last United States Minister to Bolivia; and even him you will probably have for a period of only about twelve months, perhaps less.

I sincerely hope and trust that your action in the matter will be such as to contribute to the maintenance and promotion of harmony and justice and all worthy and honorable relations, international and personal.

It is said here that President Frias is to Bolivia what Thiers is to France; and this saying is highly complimentary to both of the distinguished statesmen whose names are thus mentioned in juxtaposition. I remember His Excellency, Senor Frias, very well, and very favorably, having had a letter of introduction to him, (delivered in Chuquisaca, in 1871,) from Governor Frias, of the Province of Tucuman, in the Argentine Republic. Pray be good enough to hand His Excellency the inclosed note.

I am, Dear Sir, very respectfully,
Your friend and servant,

HINTON ROWAN HELPER.

MR. HELPER TO MINISTER CROXTON.

NEW YORK, *February 28, 1873.*HON. JOHN T. CROXTON, *United States Minister to Bolivia.*

SIR: I respectfully solicit your earnest attention to the somewhat elaborate communication herewith, and also to the inclosures which accompany it, addressed by Mr. Joseph H. Colton and myself, on the 15th instant, to the Hon. Secretary of State of Bolivia.

These papers are all in relation to an eminently just and fully and frequently admitted debt, due since 1858, from the Government of Bolivia to the said Mr. Colton, and he and I are all the more desirous of rightly and honorably inducing you to give them special attention, because they are framed with certain last conditions, looking to an equitable and amicable settlement (in this fifteenth year of the delinquency,) which the authorities of the country to which you are accredited may do well to consider and act upon without further delay.

Trusting that your diplomatic services in this case, and in all other cases, may be promotive of justice, peace, and good will,

I have the honor to be, very respectfully,

Your obedient servant,

HINTON ROWAN HELPER.

MR. HELPER TO SECRETARY FISH.

NEW YORK, *February 28, 1873.*HON. HAMILTON FISH, *Secretary of State, Washington.*

SIR: There must be some inherent defect in the system of diplomacy itself, which, when respectfully appealed to, and implicitly relied on, by a citizen of one Republic seriously damaged in his property by the Government of another Republic, leaves the aggrieved and despoiled party, after a period of more than fourteen years, just where it found him,—if not in a worse condition.

This predicate is certainly true, incontrovertibly and conspicuously true, of the Colton case against Bolivia.

During all of the many years of the pendency of this case, there has been no time when Bolivia did not (because of documentary vouchers that could not be questioned) unreservedly admit the justice of the claim, and promise to pay the money.

Last summer Bolivia raised successfully in London, a loan of ten millions of dollars, less the stipulated discounts and commissions. In February previously she gave me a decree, solemnly pledging her honor and her religious faith to the payment to me, out of the first proceeds of that loan, of the forty-odd thousand dollars due to Mr. Colton; but, notwithstanding the formality and solemnity of that national obligation, she has not paid one dime of the amount; and I am now very apprehensive that

her real purpose is never to pay a dime, more or less, so long as she can avoid payment by false promises, by cunning delays, or by other measures of duplicity, such as have, all the while, been peculiarly characteristic of her conduct.

From first to last, since 1858, when the debt was contracted, the creditor and his attorneys have spent over twenty-six thousand dollars, and a vast amount of time and labor,—to say nothing of the countless number of vexatious disappointments incurred,—in fruitless efforts to obtain at least an approximation to justice in this matter; to save something, even though that something be less than a moiety, from the unfortunate transaction with Bolivia. Yet, distressing to relate, no appeal, no pleading, no argument, however just and earnest, seems adequate to the task of arousing in Bolivia either an honest impulse, or a sense of shame.

It is less fitting that such a country should be recognized and honored as a Republic, than that Buncombe County, in North Carolina, should be set up and flattered as an Empire.

I most respectfully solicit your careful attention to the six inclosures herewith, all of which bear immediately and pressingly on the Colton case against Bolivia; and I beg to assure you that Mr. Colton and I will feel both honored and favored by your action in the premises, if you, through our Minister at La Paz as a medium of communication, can and will at last so manage the case as that even the mere semblance of justice, which is now only possible to the claimant, may be had fairly and peaceably within the time mentioned in these inclosures. Only by some such settlement as this, made by or before the 15th of next August, can be obviated the necessity for a memorial on the subject to our Congress at Washington.

Should you, at any time, be requested by Congress or by the President, to furnish more or less of the correspondence on file in the State Department, in this case,—as you may possibly be, sometime next winter,—please let this letter and its six inclosures appear among the papers which you will transmit in response to such request.

Promising not to trouble you again in Mr. Colton's behalf during the next six months, unless it be in reply, or in regard, to some important communication or information which I may receive meanwhile,

I have the honor to be, with great respect, your obedient servant,

HINTON ROWAN HELPER.

SECRETARY TERRAZA TO MR. COLTON.

[Translation.]

DEPARTMENT OF GOVERNMENT AND FOREIGN AFFAIRS,

LA PAZ, BOLIVIA, *April 3, 1873.*JOSEPH H. COLTON, *Esq.*

SIR: This department has received your communication of the 15th of February last, and inclosed in it a copy of the one you addressed, under date of the 14th of June, last year, to Mr. Leopold Markbreit, then United States Minister to the Government of this Republic.

Having brought the contents of both to the notice of the President of the Republic, he charges me to say, in reply, that very soon the debt you claim, for the publication of the map of Bolivia, shall be satisfactorily and completely determined; since, with a view of bringing to an end the involuntary delay which this business has caused to the grave detriment of the interests of the State, the Government will obtain from Congress, to meet during the latter part of the present month, the necessary authority for a payment to be made with the funds actually in hand arising from the 17 per cent. which has been deducted from the loan of £10,000* destined for the railroad of the Madeira and Mamoré.

Respectfully,

MELCHOR TERRAZA.

PRESIDENT FRIAS TO MR. HELPER.

[Translation.]

LA PAZ, BOLIVIA, *April 17, 1873.*HINTON ROWAN HELPER, *Esq.*

MY DEAR SIR: In reply to your letter of February 15, I have the honor to assure you of the earnest desire of the Bolivian Government to satisfy the recognized debt in favor of Mr. Colton; in virtue of which, I dare announce to you that payment will certainly commence to be made during the present year, 1873.

In case there should not be at La Paz any direct representative of the creditor, the matter might be placed in the hands of the Legation of the United States.

With this motive, I offer to you my sentiments of gratitude for your amiable congratulation upon my official investiture.

Your affectionate and sincere servant,

TOMAS FRIAS.

*This is a mistake. The gross amount of the loan, successfully raised in London, in the Summer of 1872, was \$10,000,000.

EXTRACT FROM THE MESSAGE OF PRESIDENT FRIAS TO
THE CONGRESS OF BOLIVIA, APRIL 28, 1873.

[Translation.]

"Having already spoken of national obligations, which may be regarded as results of the personal acts of the late President Morales, I must not omit to speak also of the absolute preference given to Mr. Colton's claim, which comes of compromises strictly national; in virtue of which, I have not hesitated to assure him and his attorney, that satisfaction of the debt shall be commenced during the present year; considering this as one of our first duties toward the liquidation of our national obligations."

MR. COLTON TO THE SENATE AND HOUSE COMMITTEES ON
FOREIGN AFFAIRS.

NEW YORK, January 1, 1874.

*To the Honorable, the Senate and House Committees
on Foreign Affairs, Washington.*

GENTLEMEN: You will receive herewith my petition to the Congress of the United States for justice to myself from the Government of Bolivia, which, in a most extraordinary and aggravating manner, has persistently injured me in my property for the last fifteen years.

My age, (I being now in my seventy-fourth year,) and my feebleness of health, prevent me from going to Washington, in person, to seek redress for the gross wrongs which I have so often suffered through the many acts of bad faith of the Bolivian Government; but Hinton Rowan Helper, Esquire, who holds from me complete and permanent powers of attorney in this regard, and who is familiar with all the facts of the case, from first to last, will deliver to you this and the accompanying papers, and will, I doubt not, be able to give whatever additional information you may require.

I have the honor to request, therefore, that you, as upright American Senators and Representatives, having official cognizance of the conduct of nations, as that conduct affects the citizens of our own country, will, with a swiftness of dispatch commensurate with Bolivia's interminable, wilful and wicked delays, adjust this matter with Mr. Helper, my only, absolute and irremovable attorney, with full powers herein. Any settlement made with him will be as valid and final, in all respects, as if made with myself personally.

I have the honor to be, very respectfully, your obedient servant,
JOSEPH H. COLTON.

MR. HELPER (FOR MR. COLTON) TO THE HON. SECRETARY
OF STATE OF BOLIVIA.

[*Private and Confidential until May 5, 1874*]

WASHINGTON, January 3, 1874.

To the Honorable, the Secretary of State of Bolivia.

SIR: Acting on advice, which I am unwilling to disregard, I have the honor to address you as follows:

Under the two connected dates of January 3, 1874, and May 5, 1874, you will receive herewith a printed copy of my Memorial to the Congress of the United States, against the Government of Bolivia. Till the latter date no public proceedings in the case will be taken, and none even then, provided the whole amount of the money so long overdue to me from Bolivia, be, by that time, received; otherwise the case, as printed, will, immediately thereafter, be submitted for the serious consideration and action of my own government. I am informed that the present (long) session of our Congress will probably not close until about the middle of July.

By the amount thus claimed as overdue, I mean only the amount so often admitted by Bolivia herself to be due; as appears in her last decree, of February 1, 1872. Yet, as I have heretofore explained, that amount is, in reality, much less than the amount due in equity; nor does this include one cent of the enormous expenses thus far incurred by me, in fruitlessly seeking justice in this case, namely, twenty-six thousand eight hundred and forty dollars in gold, up to the 1st instant; together with the accruing expenses of my attorney, now in Washington, and the cost of printing the accompanying pamphlet, still to be added.

I am willing to forgive, (but can never forget,) the great injustice apparent in these ponderous expenses, provided full payment of the amount due by the said last decree, of February 1, 1872, together with the interest which shall have legally accrued thereon up to the date of the receipt here of the money, be made, in good faith, not later than the 5th of May, of the present year. The money, in the form of a draft, may be either sent directly to me, or to the State Department at Washington, subject to my order.

If complete satisfaction of the said last decree be not given by the time mentioned above, I shall most earnestly, (and I am sure most rightfully,) publicly petition the Congress of the United States, as by the inclosed printed pamphlet, to make good to me, to the uttermost farthing, all original dues and actual expenses in the premises.

By three different steamers, sailing on different days, you will, if there be no miscarriage of the mails, receive this letter and the enclosed pamphlet, in triplicate.

I am, Sir, respectfully, your obedient servant,

JOSEPH H. COLTON.

By his attorney:

HINTON ROWAN HELPER.

Thus, honored Senators and Representatives of the American Congress, have I had the honor to submit to you, both by way of making complaint and by way of seeking redress, an epitome of the many acts of gross injustice and insult which, for half a generation, I, as a citizen of the United States, have been forced to endure, and am still forced to endure, at the hands of dishonorable Bolivia, with whose Government you are (no doubt but imperfectly acquainted with the real character of that despicable country) yet pleased to maintain relations of international friendship and comity.

The main facts of the case in point may be summarized as follows:

Of her own volition and overture, whether wily or worthy, Bolivia became largely indebted to me in the year 1858 for ten thousand large maps of herself as one of the governing Powers of the earth.

Two years afterward, in 1860, having already time and again proved false to her solemn word with me, and I having meanwhile appealed to the honorable Secretary of State at Washington for aid in the effort to recover the amount due me, she promised our then Minister Resident at La Paz that she would soon pay off the debt. Her failure to keep that promise constituted her first flat indignity and insult, or at least what should have been regarded as an indignity and insult, to a diplomatic representative of the United States.

In still later years, from 1860 to 1873, she has repeatedly given the most positive assurances to me and to each and every Minister Resident whom we have sent to her capital, that she would pay the money "very soon;" but, up to this present day, not once has she been veracious enough to keep her word, or honest enough to pay one cent. For the exact truth of all these statements I would respectfully refer you to the six following-named Ministers and ex. Ministers of the United States, whose field of diplomacy is, or has been, Bolivia; or, if not to those gentlemen themselves in person, to the archives of our State Department in Washington, where dispatches from them respectively on this subject will be found on file:

Hon. John Cotton Smith, Sharon, Connecticut.

Hon. David K. Cartter, Washington, D. C.

Hon. Allen A. Hall, Nashville, Tennessee.

Hon. John W. Caldwell, Cincinnati, Ohio.

Hon. Leopold Markbreit, Cincinnati, Ohio.

Hon. John T. Croxton, Paris, Kentucky.

Not merely has Bolivia, by profuse and ordinary promises, written and verbal, misled me and my special agents, and hoodwinked every Minister whom our Government has sent to her between the years 1858 and 1873, but she has also, during the same time, by numerous public and official declarations and extraordinary messages, issued under the signatures and seals of her nationality, audaciously trifled with all our illustrious Secretaries of State, from the days of the Hon. Lewis Cass to the Hon. Hamilton Fish, inclusive.

Up to this present time no dispute—no misunderstanding—has ever existed between Bolivia and myself as to the amount due, and her many admissions of the strict justice of the debt have, as is clearly shown in the preceding pages, always been accompanied by the most solemn and formal assurances of early payment. “Yes,” is the ever ready but deceitful word upon her lips. “Yes, the obligation is one of honor and equity; the principal is correctly stated; you have charged the minimum rate of interest; the amount is right, and the money shall be paid very soon;” but just there everything is allowed to rest quietly until, whether months or years afterward, she is again addressed on the subject, when, with an air of augmented ardor and virtue, she reiterates, privately and publicly, all previous promises, and pledges herself anew. In this way there is indeed great danger that from the New Crime of Bolivia—unless that crime be speedily repressed and punished—a progeny of countless and direful evils may soon issue.

Bolivia's most shameful conduct in this matter is a fact notorious all over Bolivia itself; and, to my certain knowledge, the comparatively few good men in that country mourn over it as they would mourn over any other distinct national disgrace. It is an example of barefaced fraud and falsehood on the part of the State, inevitably corrupting the private character of her own citizens, and giving a sort of public license for the plotting and practice of rascality throughout the world. Therefore, both in consideration of my own admitted rights, and as a moral and necessary lesson to the great majority of the Bolivians themselves, Bolivia should now, at last, be required to do her obvious duty just once, as that duty has been so often and so exactly defined by herself; and thereby furnish to the world at least one instance of a forced (in the absence of a voluntary) observance of the commonest principles of truth and justice.

Even to hint at all the high crimes and misdemeanors of Bolivia, other than the one now under particular consideration, and all of which should be matters of the deepest concern with those numerous and right-minded peoples who are so earnestly struggling for better conditions of individual and national life, would require much more time and space than I now have at my disposal.

The forty-seven revolutions with which Bolivia has so fatally afflicted herself and her neighbors during the brief period that she has been an independent power, since 1825; her impermanence and precariousness of political metropolia, she having, in the course of years past, held her sessions of Congress at no less than five different places, namely, Chuquisaca, La Paz, Tapacari, Oruro, and Cochabamba; her perverse alienation from herself, many years ago, of all the diplomatic representatives from Europe; her barbarous assassinations of most of her Presidents; her practical denial to her citizens of the rights of personal liberty and private judgment; her contempt of the elevating and ennobling pursuits of peace; her inattention to the civilizing inventions and industries of the age; her disregard of the refining influences which result from a proper ap-

plication of labor to the useful arts; her apathy in all matters of enlightened comfort, convenience, and progress, even within her own borders; she being a country without roads, without bridges, without hotels, and without manufactures; having no art, no science, no literature, little agriculture, and less commerce; and her shocking indecencies of daily and hourly and incessantly eating lice in the public streets, as unblushingly as in the private houses, of all her cities and towns;—these are some of the subjects which, under other circumstances, might be more elaborately discussed in evidence of Bolivia's unfitness to be any longer recognized as a civilized nation.

But for the very positive assurances given me by both President Frias and Secretary Terraza, in April last, in reply to my letters of final conditions under date of February 15, 1873,—all of which assurances and letters you will have found herewith,—I should have had the honor of presenting this petition to your honorable body before now; for I presumed that you would expect me to believe the explicit and holographic words of an Illimanian President, and his Secretary of State. Yet you see now, as I have long seen to my sorrow, what such words are worth; what, in fact, they have been worth for these last fifteen years; just nothing at all; especially when the President and Secretary of State in question are born of Bolivia.

A strikingly strange and suspicious feature of the assurances of President Frias and Secretary Terraza, is apparent in these words: "Payment will certainly commence to be made during the present year, 1873." This is an *ex parte* provision or arrangement, and I here openly protest against it. It is only another piece of sheer artifice on the part of Bolivia; it bodes more mischief; it is rank with the sinister designs of double-dealing; it means a gradual and indefinite lengthening out, into oblivion, of a comparatively insignificant debt of a country for its maps, already overdue for the full period of fifteen years; it smacks of delay till the crack of doom. Only contemplate for a moment this youngest offspring of the New Crime of Bolivia. What a matchless and monstrous spectacle of perfidious baseness!

Here is a regularly recognized Republic, a Republic in name at least, passing all manner of official acts and resolutions, year after year, always frankly admitting its undeniable duty to pay for its maps published in 1858, frequently authorizing the payment to be made in full, and then, in 1873, promising to "commence" payment sometime during the fifteenth year of the delinquency; and yet, even after so many extraordinary exhibitions of pitiable shabbiness, as if no depth of dishonor was low enough for Bolivia, failing to pay one cent! I have some little knowledge of the language in which I am writing this Memorial, and it may be that, if put to the test, I might succeed in applying a few appropriate terms to a so-called gentleman who would seek to evade his just obligations to a washerwoman; but never yet have I seen or heard any words of English usage at all adequate to the description of such varied and unending acts of ineffable meanness as Bolivia is guilty of in this map matter.

I respectfully entreat your honorable body to cut short the barefaced and baleful career of Bolivia in this New Crime. Not only do I ask that, as the very least that can be done with any sort of propriety, you will at once suspend diplomatic relations with Bolivia until she learns something of the good faith due to her national promises and pays me for her maps; but I also earnestly beseech you, as the superior functionaries of my own Government, and as the highest and best representatives of American republican nationality, to grant me the more exact and certain measures of justice which are adverted to in my letters of final conditions under dates respectively of June 14, 1872, and February 15, 1873.

In addition to the sum of \$41,588.54 in gold, due to me by the decree of February 1, 1872, and which should be so much the more as interest at the rate of seven per cent. over six per cent. per annum would make it. Bolivia ought, in equity, to be required to pay me the heavy expenses to which I have been subjected during the last fifteen years, in vain efforts to obtain from her what she so justly owes me. All told, the expenses alone amount to \$26,840 in gold; and with this additional amount, (having given her at least eighteen months of fair admonition and warning,) I now charge her; requesting that, henceforth, on this sum of expenses, thus far, as also on the sum mentioned in the last decree, seven per cent. per annum be allowed me.

It has thus been my painful duty to acquaint your honorable body with the bad character of one of the nations of the new world, with which you, on your own part, are in regular diplomatic and friendly alliance; although that nation herself, at this time, has neither a Minister nor a Consul—if, indeed, she *ever* had a Minister—within the United States. Her Consul under commission at New York, a gentleman engaged in mercantile pursuits, is not a Bolivian, has never been in Bolivia, has been in Europe for the last seven months, and will, I hear, probably remain absent from the United States at least twelve months longer. Is there not lacking here both a principle and a practice of true international courtesy and reciprocity? Is it not, in truth, a very one-sided business? The United States are not unrepresented in Bolivia; but Bolivia is unrepresented in the United States.

Lord Clarendon bluntly blotted Bolivia from the Diplomatic map of Great Britain in 1858. France, Germany, Russia, and all the other governing powers of Europe, have likewise long since ceased to regard Bolivia as worthy of notice as a nation. Out of South America, it is our own country alone that maintains a minister in Bolivia.

Honorable Senators and Representatives of the American Congress: The intelligent and well-meaning world has already, more than once, had occasion to applaud the reasonable measures of protection and indemnification which you, as national legislators, as republican statesmen, have accorded to those of your less fortunate fellow-citizens who for a time have been despoiled of either their rights or their property by inconsiderate foreign Governments. I now ask that you will, with your usual

moderation and fairness toward all concerned, afford to the better portion of mankind another proof of the fact that citizenship of the United States is indeed a great and glorious privilege—a high prerogative—carrying with it the amplest guarantees of rightful consideration at home and of due respect abroad.

Only the plain truth about Bolivia have I told your honorable body. She came to me. I did not go to her. Scores of times has she grossly deceived me. In both spirit and purse has she greatly injured me. Truth finds no welcome with her. From justice she hides her face. Honor she never knew. She knows no shame. Absolutely incapable has she proved herself of performing even one little straightforward act of honesty. As a nation she is abject to the last degree. Not only does she not pay the amount originally due me, but, in the fruitless efforts which I have made during fifteen years to collect the money, she has thus far caused me an additional loss, in actual expenditures and binding compromises, of nearly twenty-seven thousand dollars in gold! Is this justice? Is it not a gross outrage against all the principles of honorable dealing? Is it not a species of national swindling and robbery, and should not the nation so manifestly guilty of such criminal conduct be either compelled herself to pay the aggregate amount of principal, interest and costs, or unceremoniously dislodged from the eminence of sovereign power, and her territory and obligations allowed to lapse to an honest and solvent neighboring nationality? For an equitable and affirmative reply to this last inquiry, and for action accordingly, I confidently appeal to the enlightened and just judgment of my own great Government, as that Government is now supremely and preëminently represented in the Congress of the United States.

JOSEPH H. COLTON, *Claimant*.

By his Attorney:

HINTON ROWAN HELPER.

Correct,—Approved:

JOSEPH H. COLTON.

At WASH
12/11/21

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Hon. Mr. T. Buckingham

Dear Sir:

As this matter is the
one before the Committee
Foreign Affairs, I suppose it
nearly travels you personally, it
is not being a member of the
National Committee. Still as
I am fully convinced that this is
herein in addition to the
continued fellow-citizens
ance, the force, the virtue and
of American diplomacy, we at
least that you begin to
to know as may be seen
in the properly rendered
of the National Committee.

Most respectfully

Yours

Wm. L. Garrison



